

**68A.404 Independent expenditures.**

1. As used in [this section](#), “*independent expenditure*” means one or more expenditures in excess of one hundred dollars in the aggregate for a communication that expressly advocates the nomination, election, or defeat of a clearly identified candidate or the passage or defeat of a ballot issue that is made without the prior approval or coordination with a candidate, candidate’s committee, or a ballot issue committee.

2. A person, other than a committee registered under [this chapter](#), that makes one or more independent expenditures shall file an independent expenditure statement.

a. The requirement to file an independent expenditure statement under [this section](#) does not by itself mean that the person filing the independent expenditure statement is required to register and file reports under [sections 68A.201](#) and [68A.402](#).

b. [This section](#) does not apply to a candidate, candidate’s committee, state statutory political committee, county statutory political committee, or a political committee. [This section](#) does not apply to a federal committee or an out-of-state committee that makes an independent expenditure.

3. a. An independent expenditure statement shall be filed within forty-eight hours of the making of an independent expenditure in excess of one hundred dollars in the aggregate.

b. An independent expenditure statement shall be filed with the board and the board shall immediately make the independent expenditure statement available for public viewing.

c. For purposes of [this section](#), an independent expenditure is made at the time that the cost is incurred.

4. The independent expenditure statement shall contain all of the following information:

a. Identification of the individuals or persons filing the statement.

b. Description of the position advocated by the individuals or persons with regard to the clearly identified candidate or ballot issue.

c. Identification of the candidate or ballot issue benefited by the independent expenditure.

d. The dates on which the expenditure or expenditures took place or will take place.

e. Description of the nature of the action taken that resulted in the expenditure or expenditures.

f. The fair market value of the expenditure or expenditures.

5. Any person making an independent expenditure shall comply with the attribution requirements of [section 68A.405](#).

6. a. The board shall develop, prescribe, furnish, and distribute forms for the independent expenditure statements required by [this section](#).

b. The board shall adopt rules pursuant to [chapter 17A](#) for the implementation of [this section](#).

[C75, 77, 79, 81, §56.13; 81 Acts, ch 35, §11]

86 Acts, ch 1023, §10; 93 Acts, ch 163, §33; 94 Acts, ch 1180, §36; 95 Acts, ch 198, §12; 99 Acts, ch 136, §8, 17; 2002 Acts, ch 1073, §9, 11; 2003 Acts, ch 40, §4, 9

CS2003, §68A.404

2005 Acts, ch 72, §13 – 15; 2006 Acts, ch 1010, §41; 2008 Acts, ch 1191, §116, 117; 2009 Acts, ch 42, §5